

COUNTY OF YORK

MEMORANDUM

DATE: March 9, 2001 (BOS Mtg. 3/20/01)
TO: York County Board of Supervisors
FROM: James O. McReynolds, County Administrator
SUBJECT: Application No. UP-569-01, Richard and Mary Chapman

ISSUE

Application No. UP-569-01 is a request for a special use permit, pursuant to Section 24.1-407(c) of the York County Zoning Ordinance, to authorize an accessory apartment in conjunction with a single-family residence. The subject property is located at 103 Winfree Lane and is further identified as Assessor's Parcel No. 25-(27)-1.

DESCRIPTION

- Property Owner: Richard and Mary Chapman
- Location: 103 Winfree Lane
- Area: 1.32 acres
- Frontage: Approximately 180 feet on Winfree Lane
- Utilities: Private septic system and public water on site
- Topography: Relatively flat with moderate slopes to the rear of the property
- 2015 Land Use Map Designation: Low-Density Residential
- Zoning Classification: RR-Rural Residential
- Existing Development: Single-family detached dwelling
- Surrounding Development:
 - North: Single-family detached home
 - East: Vacant parcels, single-family detached home beyond
 - South: Single-family detached home, Allens Mill Road beyond
 - West: Vacant parcels, single-family detached homes beyond
- Proposed Development: Accessory apartment occupying the second floor of a detached garage (to be constructed)

CONSIDERATIONS/CONCLUSIONS

1. The applicants propose to establish an accessory apartment for Mrs. Chapman's mother. The proposed accessory apartment would occupy the second floor of a detached garage to be constructed on the property. The subject property is zoned RR (Rural Residential). Accessory apartments are permitted as a matter of right in the RR zoning district, but because the proposed size of the accessory apartment exceeds the limits prescribed in Section 24.1-407(c) of the Zoning Ordinance (450 square feet or 25% of the total floor area of the principal dwelling, whichever is less), a special use permit is required.
2. The Comprehensive Plan designates this area for Low Density Single Family Residential use, and the Housing element of the Plan encourages opportunities for accessory dwelling units, particularly for the elderly. The Plan notes that accessory apartments provide an opportunity for the elderly to remain independent while accepting some degree of assistance from family members.
3. The main issue with regard to accessory apartments is their compatibility with and impact on surrounding properties and the neighborhood as a whole. This is why they are permitted as a matter of right (up to 450 square feet) in all but the most densely developed single-family residential areas (i.e., areas zoned R13). In this case, the primary residence has a floor area of 2700 square feet; the proposed accessory dwelling has an approximate total floor area of 950 square feet, which represents 35.2% of the size of the primary residence. The apartment would include a living room, sun room, bedroom, kitchen, and bathroom. The proposed accessory apartment is located approximately 133 feet from the closest adjacent residence and displays a residential character design as shown on the building plans. I do not believe that the proposed accessory apartment poses any threat to the single-family character of the Winfree Lane area.
4. The parcel is served by public water and a private septic system. The subject parcel has a septic drain field approved by the Health Department for a maximum of four bedrooms, which is the number of bedrooms the applicants will have, including the accessory apartment. A condition has been included in the approving resolution limiting the apartment to a single bedroom, and limiting to four (4) the combined number of bedrooms in the principal dwelling and the apartment.
5. Performance standards for accessory apartments are set forth in Section 24.1-407 of the Zoning Ordinance. These limit the maximum number of accessory apartments to one per single-family detached dwelling, require adequate provisions for off-street parking, require occupancy only by family members or guests of the occupant of the principal dwelling, and prohibit the apartment from being rented separate from the principal dwelling. These standards have been included in the proposed approving resolution.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission considered this application at its regular meeting on February 14, 2001 and, subsequent to holding a public hearing, voted 5:0 (Simasek and Hendricks absent) to recommend approval.

COUNTY ADMINISTRATOR RECOMMENDATION

I am of the opinion that the subject parcel can accommodate the proposed accessory apartment with no adverse impacts on adjacent properties or County infrastructure. Therefore, I recommend that the Board approve this application through the adoption of proposed Resolution No. R01-41.

Cross/3496

Attachments

- Excerpts of unapproved Planning Commission minutes, February 14, 2001
- Zoning Map
- Plat of Property
- Preliminary floor plan and building rendering
- Health Department Correspondence (December 11, 2000)
- Proposed Resolution No. R01-41